IN RE: PETITION FOR ZONING VARIANCE WS Patapsco Avenue, opposite * ZONING COMMISSIONER Central Avenue (20 Patapsco Avenue) * OF BALTIMORE COUNTY 12th Election District 7th Councilmanic District * Case No. 89-230-A Charles M. Ray Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioner herein requests a variance from Section 400.1 to allow an accessory structure in the front yard in lieu of the required rear yard, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Charles M. Ray, appeared and testified and was represented by James F. McAvoy, Esquire. There were three Protestants who appeared and testified, namely, Mr. Louis Blazic, Ms. Anna Narowanski and Mr. Peter M. Rose.

The evidence and testimony tend to establish that the Petitioner owns two lots of ground on the Patapsco River off of Patapsco Avenue. The total of both lots of ground is approximately 85 ft. x 250 ft. and is zoned D.R. 5.5. The property was the subject of a prior zoning variance case (#86-465A) in which was granted a garage that is nearly as large as the house on the site.

Petition's Exhibit 1 shows the garage much smaller than the house, however, the photograph (Petitioner's Exhibit 3), clearly, shows they are nearly equal in size. The Petitioner claims as his hardship that he needs more storage area. He built this illegal accessory shed to provide this additional space without a permit.

PETITION FOR ZONING VALANCE

required rear yard

storage. The house does not have a basement.

photographs).

Contract Purchaser:

City and State

Attorney for Petitioner:

(Type or Print Name)

Attorney's Telephone No.: _____

(Type or Print Name)

The Protestants object to any more development of this lot. They claim the Petitioner has more than enough storage space. They also claim the Petitioner does not keep the lot clean and he stores large amounts of trash on the site.

The Petitioner testified that he believes his request complies with Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). There was no testimony concerning the required protection of the Chesapeake Bay. There is no evidence the Petitioner's variance complies with the requirements of the Chesapeake Bay Critical Area laws or the requirements of Sections 307.2 or 500.14 of the B.C.Z.R.

The requirements of the Chesapeake Bay Critical Area legislation and of Sections 307.2 and 500.14 are mandatory and must be established by affirmative evidence. The Petitioner has failed to meet his burden of proof and must fail in his request.

Furthermore, the Petitioner is overcrowding the land in this case. The garage which was approved in case #86-465A was for the same reasons given in this case. The Petitioner has created his own hardship and wants his community to suffer from his actions. The property is poorly maintained and debris is everywhere. The Petitioner should use his oversized garage for storage. The storage shed is unnecessary.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10 day of January, 1989 that the Petition for Zoning Variance from Section 400.1 to allow an accessory structure in the front

PATAPSCO RIVER

yard in lieu of the required rear yard, as more particularly described on Petitioner's Exhibit 1, be and is hereby DENIED and subject to the following restriction:

> 1. The Petitioner shall remove the subject storage shed on or before March

> > Zoning Commissioner for Baltimore County

cc: Peoples Counsel

James F. McAvoy, Esquire, UAW Legal Services, Maritime Center, Suite 210, 6610 Tributary Street, Baltimore, Maryland 21224-6514 Ms. Anna Narowanski, 16 Patapsco Avenue, Balto.Md. 21222

Mr. Louis Blazic, 16 Patapsco Avenue, Balto. Md. 21222 Mr. Peter M. Rose, 11 Patapsco Avenue, Baltimore, Md. 21222

Mr. Robert W. Sheesley, Dept. of Evironmental Protection and Resource Management, County Courts Bldg., Towson, Md. 21204

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

James F. McAvoy, Esquire UAW Legal Services Maritime Center, Suite 213 6610 Tributary Street Baltimore, Maryland 21224-6514

> RE: Petition for Zoning Variance Case No. 89-230A Charles M. Ray

Dear Mr. McAvoy:

Enclosed please find the decision rendered on the above captioned case. The Petition for Zoning Variance has been denied, in accordance

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

JRH:mmn

Peoples Counsel

Mr. Charles M. Ray, 20 Patapsco Avenue, Baltimore, Md. 21222 Ms. Anna Narowanski, 16 Patapsco Avenue, Balto.Md. 21222

Mr. Louis Blazic, 16 Patapsco Avenue, Balto. Md. 21222 Mr. Peter M. Rose, 11 Patapsco Avenue, Baltimore, Md. 21222 Mr. Robert W. Sheesley, Director, Dept. of Environmental

Dundalk, Md. 21222

Protection and Resource Management, County Courts Bldg., Towson, Mr. Wayne Northrup, State Dept. of Planning, State Office Building, 301 W. Preston St., Baltimore, Maryland 21201.

CRITICAL AREA

Property known as 20 Patapsco Avenue in the 12th Election District.

PEING the south 25 feet of Lot No. 10, all of Lot No. 9 and the north 10 ft. of Lot No. 8 as shown on the Plat of the Aron Landlord Improvement Company recorded in the Land Records of Baltimore County in Plat Book J.W.S. 2, folio 160.

The property begins on the west side of Patapsco Avenue approximately 32 feet from the Centerline of Center Avenue. The dimensions of the property are 85 feet by 250 feet. The property runs along the Patapsco River for 85 feet.

Zoning Commissioner
Office of Planning & Zoning NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Many land as follows:

Petition for Zoning Variance CASE NUMBER: 89-230-A WS Patapace Avenue, opposite Central Avenue (20 Patapaco Avenue) 12th Election District

7th Councilmanic District Petitioner(s): Charles M. Ray HEARING SCHEDULED: THURSDAY, DECEMBER 15, 1988 at 9:00 a.m.* Variance to allow an accessory structure in the front yard in lieu of the required rear yard.

*IF PHASE II OF SNOW EMER-GENCY PLAN IS IN EFFECT ON

THIS DATE CASE WILL BE RESCHE DULED. CALL 494-3391 or 887-3391 TO CONFIRM DATE In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in

this office by the date of the hearing set above or presented at the L ROBERT HAINES Zoning Commissioner of

CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

4 N. Center Place P. O. Box 8936

Nov. 23,

19₈₈

THIS IS TO CERTIFY, that the annexed advertisement of Robert Haines in the matter of Zoning Hearings -Case #89-230-A - P.O. #05901 - Req. #M20453 - 97 line \$48.50. was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the

24th day of November 19_{88} ; that is to say, the same was inserted in the issues of Nov. 23, 1988

Kimbel Publication, Inc.

per Publisher.

By K. C. Delle

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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case 89-230-1 price \$39.38

CERTIFICATE OF PUBLICATION

TOWSON, MD., Movember 28, 1958

THE JEFFERSONIAN,

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., appearing on

CRITICAL AREA EAT" 1'desc 11005 1 ErT HUUSE PATAPSCO VICATY SEE ATTACHED DESCRIPTION Dlat for a Zoning Variance bwner: Charles M. Ray Zoning: DR-5.5 Lot gize: 21,250 sq. ft. + Existing Utilities in Patapsco Ave. Subdivision: Carregie, Bock 2 folio 160. Prior Variance for Garage, Case No. 86-465-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-230-A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section ___ 400 / To allow on accessing in the front yard in lies of the of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The lot is on the waterfront. Assuming the front of the house faces the water the rear yard is too small to accommodate an accessory building. The front yard is quite large. (Please note attached if the variance is not granted I cannot place an accessory building on the property. The accessory building is needed for Property is to be posted and advertised as prescribed by Zoming Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. 20 Patapsco Avenue 282-2184 Baltimore, Maryland 21222 Name, address and phone number of legal owner, contract purchaser or representative to be contacted

#111

day of Deck, 19 88, at 2 o'clock Zoning Commissioner of Baltimore County.

Legal Owner(s):

Charles M.RAY

1-11 Bus

(Type or Print Name)

(Type or Print Name)

City and State

Movember 24, 1988.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as fol-

Petition for Zoning Variance

posite Central Avenue (20 Patapsoo Avenue) 12th Election District

Hearing Date: Thursday, Dec. 15, 1988 at 9:00 a.m

OBSECTY SETLICITED IN THE WITCH YEAR
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IF PHASE II OF THE SHOW
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FECT ON THIS DATE, CASI
MAY BE RESCHEDULED, CAL
887-3391 TO CONFIRM DATE

missioner will, however, entertain any request for a stay of the is-suance of said permit during this period for good cause shown. Such request must be in write.

and received in this office by the date of the hearing set above or presented at the hearing.

Number of Signs: ______

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines
Zoning Commissioner

Date: 12/2/38

Dennis F. Rasmussen
County Executive

Mr. Charles M. Ray 20 Patapsco Avenue

Baltimore, Maryland 21222

Per Petition for Zoning Variance CASE NUMBER: 89-230-A WS Patapsc: Avenue, opposite Central Avenue (20 Patapsuo Avenue) 12th Election District - 7th Councilmanic Petitioner(s): Charles M. Ray

HEARING SCHEDULED: THURSDAY, DECEMBER 15, 1988 at 9:00 a.m.*

Dear Mr. Ray:

Please be advised that 102.8% is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. The above-referenced property. All rees must be pard prior to the hearing Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. ROBERT HAINES Zoning Commissioner of

Baltimore County

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

November 1, 1988

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-230-A WS Patapsco Avenue, opposite Central Avenue (20 Patapsco Avenue) 12th Election District - 7th Councilmanic

Petitioner(s): Charles M. Ray HEARING SCHEDULED: THURSDAY, DECEMBER 15, 1988 at 9:00 a.m.*

Variance to allow an accessory structure in the front yard in lieu of the required rear yard.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of

cc: Mr. Charles M. Ray Chesapeake Bay Critical Area Commission

Barbara Blazic

Baltimore County

IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEAR-ING WILL BE POSTPONED AND RESCHEDULED FOR THURSDAY, JANUARY 12, PLEASE TELEPHONE DOCKET CLERK AT 494-3391 or 887-3391 TO CONFIRM DATE.

IMPORTANT NOTICE

Received 9-15-88 Clark m Ray SUBJECT: PETITION FOR ZOWING VARIANCE

The following information is provided to you as a forevarning and it is not to be con-

First, and most importantly, you must understand that the hearing you have requested is a quasi-judicial hearing and you are responsible for meeting the burden of law required by the Bultimore County Zoning Regulations. A judicial hearing is an adversary process, and therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the variance will be granted.

Second: Tow must understand that you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you con-

Third: It is strongly recommended that you read and understand the requirements of Section 307 of the Buitimore County Zoning Regulations, provided below.

Section 307 empowers the Zoning Commissioner to grant variances from height and area regulations when strict compliance would result in practical difficulty or unreasonable hardship, but only if in strict harmony with the spirit and intent of the regulations and then only in such a manner as to grant relief without substantial injury to the public health, safety, and general welfare.

The Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22

(2) THE DIFFICULTIES OR HARDSHIP IS FECULIAR TO THE SUBJECT PROPERTY IN CONTRAST WITH OTHER PROPERTIES IN THE ZONING DISTRICT.

(3) HARDSHIP WAS NOT THE RESULT OF APPLICANT'S OWN ACTIONS.

(1) WHETHER STRICT COMPLIANCE WITH REQUIREMENT MOULD UNREASONABLY PREVENT THE USE OF THE PROPERTY FOR A PERMITTED PURPOSE OR RENDER CONFORMANCE

(2) WHETHER THE GRANT WOULD DO SUBSTANTIAL INJUSTICE TO APPLICANT AS WELL AS OTHER PROPERTY OWNERS IN DISTRICT OR WHETHER A LESSER RELAXATION THAN THAT APPLIED FOR WOULD GIVE SUBSTANTIAL RELIEF.

Even though there may not be opposition in a given case, your request may be denied. This information is provided by J. Robert Haines, Zoning Commissioner, as a public service.

The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the fower to grant variances from height and area strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Bo increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking, or sign regulations, and only in such manner as to grant relief without substantial injury to public health, safety, and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of .fact setting

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer

FROM: James H. Thompson

Zoning Supervisor

Zoning Enforcement Coordinator RE: Item No. 111

Petitioner: Charles M. Ray

VIOLATION CASE # C-88-2499

LOCATION OF VIOLATION 20 Patapsco Avenue

DEFENDANT Charles M. Ray

ADDRESS 20 Patapsco Avenue Baltimore, MD 21222

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Barbara Blazic

16 Patapsco Avenue Baltimore, MD 21222

DATE: October 21, 1988

-3

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT _{No.}059687

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

January 24, 1989

Mr. Charles M. Ray 20 Patapsco Avenue Baltimore, Maryland 21220

Re: Advertising and Posting fees Zoning Case Number: 89-230-A

Dear Mr. Ray:

Our records indicate an overdue balance of \$102.88 for posting and newspaper advertising relationed to your recent zoning hearing.

Kindly forward your check in said amount via return mail.

Should you choose to ignore this request, we will be forced to initiate court proceedings against you .

Thank you for your anticipated cooperation.

Very truly yours,

Baltimore County Office of Planning and Zoning

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Fourth: No employee of the Baltimore County Zoning Office may provide legal advice to anyone. The representations and opinions of any employee are not to be construed as definitive of any case. Only the decision of the Zoning Commissioner and Deputy Zoning Commissioner is dispositive of any matter after the statutory required public hearing.

"To prove undue hardship for a use variance the following three criteria must be met:

(1) APPLICANT MUST BE UNABLE TO SECURE A REASONABLE RETURN OR MAKE ANY REASONABLE USE OF HIS PROPERTY (MERE FIRANCIAL HARDSHIP OR OPPORTUNITY FOR GREATER FROFIT IS NOT ENOUGH).

To prove practical difficulty for an area variance the following criteria

(3) WHETHER RELIEF CAN BE GRANTED IN SUCH FASHION THAT THE SPIRIT OF THE ORDINANCE WILL BE OBSERVED AND PUBLIC SAFETY AND WELFARE SECURED." This Notice is not to be considered legal advice.

SECTION 307 - VARIANCES



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for firing this 28th day of October , 1988. Received by: James E. Dyer Chairman, Zoning Plans Advisory Committee Petitioner Charles M. Ray Petitioner's Attorney BALINORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE J. Robert Haines TO Zoning Commissioner Date November 29, 1988 Pat Keller, Deputy Director
FROM Office of Planning and Zoning Zoning Petition Nos. 89-187-A (Ryan Homes); 89-188-A (Healy); 89-202-A (Cromwell Station Joint Venture); 89-206-A (Krivitski); 89-207-A (Minton); 89-211-A (Div.-Greenspring Ave.); 89-212-A (Bollinger); 89-217-A (Dobrzyowski) 89-218-A (Yanchus); 89-228-A (Bosse); 89-230-A [Ray] and 89-231-A [Katrick] - located in Critical Area) and 89-235-A (Blevins) The Office of Planning and Zoning has no comment on the proposed projects except as noted: - All requests should be subject to the site plan as shown (use, size, location) and not uniformly applied to the lot. Any substantial deviation from the construction as shown will result in voiding of

PROTESTANT(S) SIGN-IN SHEET

Anna Marawanski Part Owener 16 Patapser Ove Paris Blagic 16 Patapses Are

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

September 28, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Dennis F. Rasmussen
County Executive

Re: Property Owner: Charles M. Ray Location: W/S Patapsco Avenue, opp. Central Avenue 20 Patapsco Avenue

Zoning Agenda: Meeting of 9/27/88

Item No.: 111

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

TO: Mr. J. Robert Haines

Zoning Commissioner

FROM: Mr. Robert W. Sheesley

SUBJECT: Ray Property - Item #111

Petition for Zoning Variance

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Cold for following Group

Planning Group

Planning Group

Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Charles M. Ray 20 Patapsco Avenue Baltimore, MD 21222

MEMBERS Bureau of Department of Traffic Engineering State Roads Commissio

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

RE: Item No. 111; Case No. #89-230-A Petitioner: Charles M. Ray Petition for Zoning Variance

Dear Mr. Ray:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Alexander Dearlite JAMES E. DYER

Chairman Zoning Plans Advisory Committee

Enclosures

JED:scj

October 28, 1988

Very truly yours,

Michael S. Flanigan

Engineering Associate

The Bureau of Traffic Engineering has no comments for items

number 105, 106, 108, 109, 110 (111) 113, and 114.

Memc to Mr. J. Robert Haines October 25, 1988 Page 2

> Storm water runoff shall be directed from impervious surfaces associated with this petition to pervious areas to encourage maximum infiltration.

3. Rooftop runoff shall be directed through down-spouts and into a dry well of approved design to encourage maximimum infiltration (see attached dry well design).

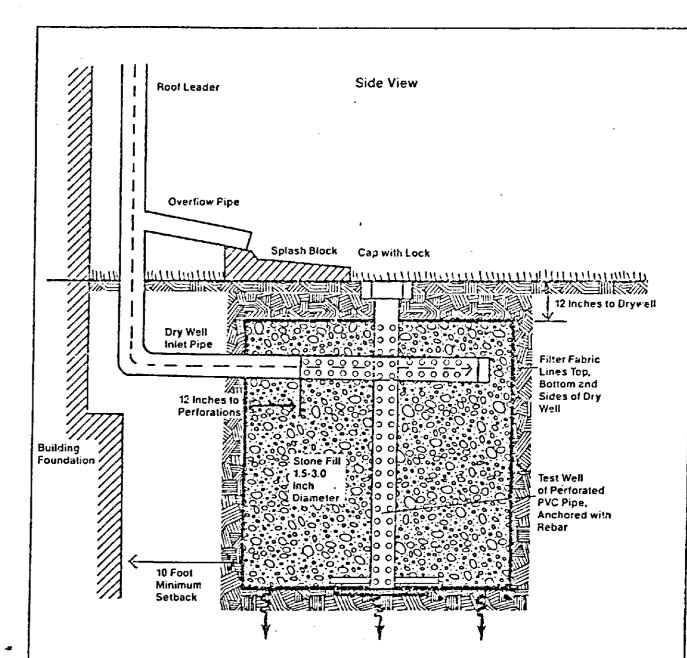
Upon compliance with the above requirements, this project will be approved. Please contact Mr. David C. Flowers at 494-3980 if you require additional information.

> Cobat W Sheesler Robert W. Sheesley, Director Department of Environmental Protection and Resource Management

RUS: DCF: tjg Attachment

cc: The Honorable Ronald B. Hickernell

DESIGN 4: Dry Well Designs. (Figure 5.8). Dry wells are a basic trench variation which are designed exclusively to accept rooftop runoff from residential or commercial buildings (Figure 5.8). Additional guidance on dry well design is available from Md WRA (1984). Basically, the leader from the roof is extended into an underground trench, which is situated a minimum of ten feet away from the building foundation. Rooftop gutter screen: are needed to trap any



Baltimore County

Department of Public Works

Courts Building, Suite 405 Towson, Maryland 21204 494-3554

Bureau of Traffic Engineering

Mr. J. Robert Haines

Zoning Commissioner

Dear Mr. Haines:

MSF/lvw

County Office Building

Towson, Maryland 21204

particles, leaves and other debris, and must be regularly cleared.

Figure 5.8: Dry Well Design (adapted from Md WRA, 1986)

ZONING OFFICE

Subject property is located along Patapsco Avenue between Maryland and Center Avenue, fronting Patapsco River. The site is within the Chesapeake Bay Critical Area and is classified = Intensely Developed

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The applicant has requested a zoning variance to allow an accessory structure in the front yard in lieu of the required rear yard.

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

 "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;

Conserve fish, wildlife and plant habitat; and

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01 0>.

The proposed development will comply with Critical Area law provided that the zoning petition is conditioned with the following requirements:

 Three major deciduous trees or six conifer trees shall be planted and maintained on the lot. A combination of these two tree types is acceptable provided that 3,000 square feet of tree cover is provided. A major deciduous tree is estimated to cover 1,000 square feet and a conifer, 500 square feet at